

## NO JURY AS YET IN BROWN CASE

Lively Tilt Between Opposing  
Counsel in Action to  
Break Will.

SEVERAL CHALLENGES MADE

Qualifying Questions Put to Talesmen  
All Hinge on Their Views of Rights  
Of Illegitimate Children.

Two jurors were excused on peremptory challenges in Judge Ritchie's division of the Third district court this morning, where the action to break the will of the late Senator Arthur L. Brown is brought by the children of Mrs. Anna M. Bradley, Arthur Brown Bradley and Martin Montgomery Bradley. The first juror to be excused on the peremptory challenge of the plaintiff was Joseph E. Davis, an ice cream dealer of this city. The challenging of Mr. Davis did not appear to be because of any bias or prejudice toward the cause of plaintiff in his mental attitude affecting the action at bar, but indicated the desire of the attorneys for Mrs. Bradley's children to secure as jurors men of family—fathers of children. Mr. Davis testified that he was married, but did not have any children, and though passed for cause by both sides, he was the first man excused by the plaintiff on peremptory challenge.

The second talesman to leave the box on peremptory challenge was Christian Berger, a farmer of Salt Lake county. This time the peremptory was exercised by the defense, and was presumably upon the ground that Mr. Berger had expressed himself strongly as to obligations due to illegitimate children on the part of the parents of such children. Berger was challenged for cause by the attorneys for the defense yesterday afternoon, but Judge Ritchie denied the challenge. Justus Jungk was also challenged for cause by Judge King at yesterday afternoon's session, and this challenge was sustained. In place of Mr. Jungk, John S. Page, 34 years old and the father of two children, was passed for cause by the plaintiffs. He was also examined and passed by the defense at this morning's session.

Oliver Hodgson was interrogated by both sides as to his attitude on the sacredness of the marriage relation, and as to the rights of children born out of wedlock. His answers seemed to be satisfactory to both sides.

### TILT BETWEEN COUNSEL.

A sharp tilt between counsel followed the question addressed by Judge King to David Archibald as to whether the talesman knew the mother of the children, Mrs. Bradley, and her husband, Clarence Bradley. Judge Powers objected to the question on the ground that it tended to leave the impression that Bradley was still the husband of Mrs. Bradley.

"Counsel for the defense knows," said Judge Powers, "that Mrs. Bradley was divorced from Mr. Bradley four or five years ago, and I submit that the question was put with the intention of prejudicing the minds of the jury on this point," replied Judge King.

Thereupon Judge King put the same question, using the word "former" before husband, "from whom Mrs. Bradley claims to have been divorced." Judge Powers said that he did not wish to take up the whole Bradley matter and thrash it out before this court unless forced to do so by defendant's counsel. "But if defendant wishes to drag it all in again, I am prepared to meet him."

"Counsel for plaintiff seems to be the one who is 'dragging the old matter in,'" said Judge King, "and I think this is just one of counsel's bluffs."

"I generally carry my bluffs through when I make them in court," said Judge Powers, and the incident passed.

H. C. Wallace was examined by plaintiff. He claimed to have no fixed opinion as to the paternity of the

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Bradley children. In response to questions by counsel for defense he said that he believed in the sacredness of the marriage relation, and that the institution should be sustained. Mr. Wallace was passed for cause by plaintiff.

William Nunn, who resides at 1234 south State street, was called to the jury box. He said he was 55 years old and the father of four grown children. It developed that Mr. Nunn had rather decided opinions as to the legal right of any man to make a will disinheriting any part of his family, and here a hint of the intention of the plaintiffs to appeal in the event that the verdict was against them, was given. The talesman said he would be governed by the instructions of the court on the question of the law in relation to this particular case.

"You recognize the right of disinherited children to come into court and examine and contest such a will, do you not?" asked Judge Powers.

"I do," replied Mr. Nunn.

"You also recognize that another court may pass upon the judgment of this court, under certain conditions?" said the judge.

"Yes, sir, I do."

After Mr. Davis and Mr. Berger had been excused, James R. Asher, a farmer from Granger, Salt Lake county, was called to fill the panel, but his examination was postponed until after the noon recess.

### HIS MONEY TIED UP.

Wife Secures Restraining Order In  
Divorce Proceedings.

Mrs. Ida Morford seeks a divorce from William M. Morford on the ground of cruelty in a complaint filed in the Third district court yesterday. In addition to the decree, she wants a division of his property which consists of \$1,200 bequeathed to him by his brother. Most of the money, she says, is in the Salt Lake Security and Trust company's bank and she secured an order restraining him from withdrawing it. They were married in Heber City on Dec. 3, 1902 and have two children of whom she asks the custody. In her complaint she sets out that her husband has attacked her on several occasions, striking her and choking her.

### ATTORNEY WANTS FEE.

John Kovotovich, who was acquitted of assault with a deadly weapon with intent to commit murder, was made the defendant in a suit filed in the city court this morning by Thomas F. Ashworth, the attorney, who defended him. Atty. Ashworth says that he prepared Kovotovich's case in the justice's court and then tried it before the Third district court. He wants \$230 for his services, having only received \$50, which will hardly cover his expenses.

### IN THE CRIMINAL COURT.

Henry Bates, convicted of burglary in the third degree by a jury last Monday, was sentenced to six months in the state prison by Judge T. D. Lewis yesterday. Bates entered a box car in the Rio Grande Western yards last November. While he used force to enter the car, he maintained that he intended to sleep there and Judge Lewis was extremely lenient with him. Clifford Neil, charged with a statutory offense upon a girl under 18 years of age, was dismissed yesterday upon the motion of Dist. Atty. Fred C. Leofbousow. The father of the young

girl asked to have the case dropped. Hattie White and Blanch Ranch, two women convicted of vagrancy in Bingham, who appealed their cases to the Third district court, were dismissed and the appeals dismissed. It is stated that the women have left the country.

### SUES ON AN ACCOUNT.

The Jefferson Mercantile & Town-site company brought an action to recover \$116,658 on an account with the Consolidated Jefferson Gold & Copper Mining company in the Third district court this morning.

### SEEK TO PAY OFF LIEN.

Lillian Langle et al brought an action in the Third district court this morning against James Whitehead and the heirs of John Whitehead, deceased, to ascertain the amount of the lien on certain property and divide it among the heirs.

### EVERYTHING GOES FOR DRINK.

Fred C. Meyer is charged with being a habit drunkard by his wife, Mildred Meyer, in a suit for divorce brought Wednesday in the Third district court. They were married in April, 1895, and have six children. She asks for \$30 a month alimony and attorney fees. Since Meyer began to drink steadily, Mrs. Meyer says that he has squandered his money for liquor and failed to provide her and his children with enough to eat and wear.

### CONSERVATION MAP.

The Utah Conservation commission held a meeting Wednesday afternoon in Gov. Spry's office and decided to employ H. T. Poll to get out a map of the state which will be used in connection with the second report of the commission. It is expected that Mr. Poll will have the map completed in four months. The map will cost about \$1,000 and will contain valuable information collected by the commission members.

### NEGLIGENCE CHARGED.

Boy Climbs on Concrete Mixer and  
Falls Off; Father Wants Damages.

E. F. Allen, father of Vernon Allen, a minor, brought suit in the Third district court this morning against the James Keeney Construction company to recover \$3,000 as damages for personal injuries sustained by the child. Mr. Allen lives at 321 Lincoln avenue and the construction company last April left a rock crusher and cement mixer in the street in front of the place where Allen lives while laying sidewalks. Vernon with several other children were playing on the mixer one afternoon, and fell off fracturing his left arm. Mr. Allen charges the company with negligence in failing to protect the machinery so that the children could not have climbed on top of it.

### NOW A PHYSICAL WRECK.

Edward Rogers Tells Court a Pathetic  
Story.

Edward De Forest Rogers, who served nine years in the United States navy, and was a member of the crew on the Bennington, when the explosion occurred in San Diego in 1905, was arraigned before Judge Lewis Wednesday afternoon in the Third district court and pleaded guilty to burglary in the third degree. He was sentenced to one year in the state prison. He entered a room in the Lenox hotel and stole several articles of clothing.

When Rogers was arraigned he told Judge Lewis the history of his life, his service in the navy and the explosion in which he was injured. Rogers contracted the "morpheine habit" after he was injured and he is now a physical wreck. He is now drawing a pension from the government of \$18 a month, and District Attorney Fred C. Leofbousow vouched for his story.

Frank Williams, a negro, was found guilty of burglary in the second degree in Judge Lewis's court Wednesday by a jury. He entered the Paris Cleaning company's establishment in south State street and stole several suits of clothes.

### JUDGMENT FOR REDMAN.

The Redman Van & Storage company obtained judgment for attorney fees and costs of \$1,558.50 against \$747.70 against Hyman Harris which was paid out by the company in a suit filed by E. A. Pennington, against the storage company for the unlawful conversion of goods. After the goods had been placed in storage, Harris claimed title to them and induced the company to turn them over to him on the promise that he would make good any loss or damage that might accrue. Pennington brought suit against the storage company and obtained judgment against it for \$1,558.50, an attorney fee, refused to pay any of the costs or attorney fees.

### PETITION IN BANKRUPTCY.

In the United States district court today Thomas Harris, a laborer at Garfield, filed a petition in voluntary bankruptcy with liabilities listed at \$631.15 and assets of the value of \$100, consisting of household furniture and other property claimed exempt.

### HIS WIFE LEFT HIM.

Edward Roselund filed suit for divorce in the Third district court Wednesday against Mary Roselund on the ground of desertion. They were married in Titusville, Pa., Sept. 26, 1893. On June 1, 1906, Roselund declares that his wife left him and that he knows nothing about her. They have three children, of whom Roselund asks the custody.

### LATE LOCALS

President Winder's Condition.—At 2:30 Thursday, the condition of President John R. Winder was about the same as yesterday. He passed a comfortable night, and there was no appreciable change in his condition either way.

To Address Missionary Class.—J. Golden Kimball will address the missionary class at the L. D. S. University this evening, beginning at 7:30. The public is invited.

New Club Members.—George V. Lowry, LL. B., Stanford University, '05; and Douglas B. Kimball, B. A., Harvard, '04, have been admitted to membership in the University club.

Wells Children Recovering.—The family of Captain Briant S. Wells at Governor's Island have been in quarantine with diphtheria; but it is learned that all danger is passed by the children.

### IT'S A MISTAKE

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## Births, Deaths, Marriages and Divorces for Two Years in Utah

State Statistician Haines has compiled a table of vital statistics of the births, deaths, marriages and divorces by counties throughout the state. The table is as follows:

Counties.	Births.	Deaths.	Marriages.	Divorces.
	1908.	1909.	1908.	1909.
Beaver	125	35	41	2
Boxelder	494	107	138	91
Cache	655	207	256	333
Carbon	260	81	78	81
Davis	380	111	121	171
Emery	242	63	58	33
Garfield	168	52	33	26
Grand	22	4	18	7
Iron	165	29	18	31
Juab	321	114	96	69
Kane	37	11	21	6
Millard	157	34	52	31
Morgan	45	18	13	25
Platte	57	18	12	9
Rich	77	16	14	12
Salt Lake	2,886	1,675	1,706	2,054
San Juan	23	4	12	4
Sepia	233	191	137	184
Sevier	147	95	81	82
Summit	346	110	112	47
Tooele	204	66	89	37
Uintah	241	52	51	71
Utah	1,054	444	111	316
Wasatch	239	68	77	42
Washington	197	57	37	52
Wayne	15	0	6	9
Weber	711	382	385	483
Totals	10,059	4,062	3,866	4,120

### WEATHER REPORT.

Partly Cloudy. Rain for North  
Portion of State.

### TODAY'S TEMPERATURES.

6 a.m.	33
7 a.m.	33
8 a.m.	37
9 a.m.	39
10 a.m.	42
11 a.m.	46
12 noon	46
1 p.m.	46

### YESTERDAY'S RECORD.

Highest	44
Lowest	31

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Salt Lake's Greatest Sale of Muslin Underwear, Continues  
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Covers, Chemise, Drawers, Petticoats.

Two and Three-piece combination suits. All priced at the  
lowest prices ever heard of. A few items are herewith men-  
tioned for Friday and Saturday.

### Ladies' Muslin Skirts

AT 49c Ladies' muslin skirts, made of good quality muslin, with deep tuck flounce; all sizes.

AT 79c Ladies' Muslin skirts, extra good quality material; deep flounce; trimmed with lace and embroidery.

AT 98c Ladies' muslin skirts, made of extra fine material; several styles to choose from; deep flounce, trimmed with embroidery insertion; also lace insertion and edging; values up to \$1.50, and especially priced at this sale at the above quoted price.

AT \$1.19 Ladies' skirts, made of good quality muslin, neatly trimmed, have deep flounce of fine tucks and embroidery flouncing; also double flounce of hemstitched tucks.

AT \$1.29 Ladies' muslin skirts of extra good material; made with deep flounce and trimmed with cluster of tucks of embroidery edging; also lace insertion and edging.

AT \$1.39 Ladies' muslin skirts of extra good quality material; deep knee flounce with double ruffles of embroidery; extra good value.

### Extraordinary Specials in Combination Garments In Two and Three Piece Effects

AT 59c Ladies' combination suit, made of good quality muslin, trimmed with lace and ribbon; all sizes.

AT 79c Ladies' combination suit, corset cover and drawers, made of fine quality muslin and crossbar dimity, trimmed with embroidery and lace; all sizes.

AT \$1.19 Ladies' corset cover and drawers, fine quality muslin and cross-bar dimity, embroidery and lace trimmed; all sizes.

AT \$1.29 Ladies' corset cover and drawers, fine quality muslin and ribbon; drawers cut umbrella style and extra full; all sizes.

AT \$1.39 Dainty combination suit, corset cover and drawers, made of fine nainsook, trimmed in extra fine embroidery, run with ribbon; extra special value; all sizes.

AT \$1.49 Ladies' combination drawers and corset cover, made of fine nainsook; lace and embroidery trimmed, and especially priced for this sale as above quoted.

## TWO EXTRAORDINARY SPECIALS

### MUSLIN SKIRTS.

AT \$1.50 Values up to \$2.75 are especially priced at this sale at the above low price.

### MUSLIN SKIRTS.

AT \$1.75 Values up to \$3.00 are especially priced at this sale at the above sensationally low price.

### CORSET COVERS

AT 19c Corset covers, made of good quality muslin and edged with lace; front trimmed with lace insertion, ribbon-run.

AT 25c Corset covers, made of good quality muslin and edged with lace; deep embroidery, with two rows heading, ribbon-run.

AT 29c A very pretty corset cover; top and armholes are trimmed with lace, front has two dainty embroidery medallions, surrounded with lace insertion.

AT 39c Corset covers, made of good quality muslin and cross-bar dimities, trimmed with rows of embroidery and lace insertion; all sizes.

AT 49c Corset covers—several different styles to choose from; made of extra fine materials and trimmed with lace, embroidery and ribbons.

AT 59c Corset covers, fine quality long cloth, trimmed with shadow embroidery; pink and blue edging, and especially priced as above quoted.

### CHEMISE

AT 43c Chemise, made of good quality muslin; embroidery and lace trimmed; all sizes.

AT 59c Chemise, made of fine quality muslin, neatly trimmed with embroidery, insertion and edging.

AT 79c Chemise, several styles to choose from; regular \$1.15 and \$1.50 values; neatly trimmed with embroidery, with insertion and embroidery edging; some finished on bottom with embroidery ruffle; come in all sizes.

AT 89c Chemise, made of extra fine quality muslin and ribbon; extra long length; finished on bottom with embroidery ruffle; all sizes.

### LADIES' DRAWERS

AT 19c Ladies' drawers, made of good quality muslin; ten rows of narrow tucking; open or closed style.

AT 29c Ladies' drawers, several styles to choose from; lace or embroidery trimmed; open or closed style, come in all sizes.

AT 39c Muslin drawers, made of extra fine material and trimmed with lace and insertion.

AT 49c Ladies' drawers, extra good quality materials, trimmed with dainty embroidery or lace and clusters of fine tucks.

AT 59c Ladies' drawers, made of fine muslin and daintily trimmed with clusters of fine tucks; lace heading and embroidery ruffles.

AT 79c Ladies' drawers, made of good quality muslin; made umbrella style; neatly trimmed with embroidery edging; extraordinary value.

AT 89c Ladies' drawers, very fine quality nainsook, daintily trimmed with fine cluster tucks and embroidery ruffles; also insertion interlaced with dainty colored ribbons.

### Sale of Skirts at \$4.95

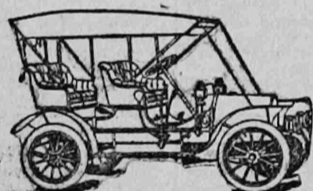
A large and varied assortment of styles, all the new 1910 spring models, made up in the new pleated effects in the all-wool panama serges and voil. A good assortment of colors.

### Black Taffetta Silk Petticoats \$3.95

A regular \$5.00 skirt. Made of an extra good quality of silk, deep knee flounce with under ruffle. Extra full sweep around bottom. About fifty in all. Come early.

## EXTRA SPECIAL LIST

\$1.00 percale skirt waist at—	Ladies' all-wool skirts, special at—	\$5.00 Washable Gingham house dresses at—
<b>59c</b>	<b>\$2.95</b>	<b>\$2.75</b>
Percale House Warppers. Special Thursday at—	BLACK PETTICOATS, extra good quality, special at—	\$1.75 Heatherbloom Petticoats in colors. Special at—
<b>79c</b>	<b>65c</b>	<b>\$1.00</b>
\$2.00 Waists in odd and end lines. All styles. Special at—	Children's Flannel Petticoats with waist attached. Special at—	Children's Cloth Bonnets, value up to 75c. Special Friday at—
<b>98c</b>	<b>19c</b>	<b>25c</b>



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